

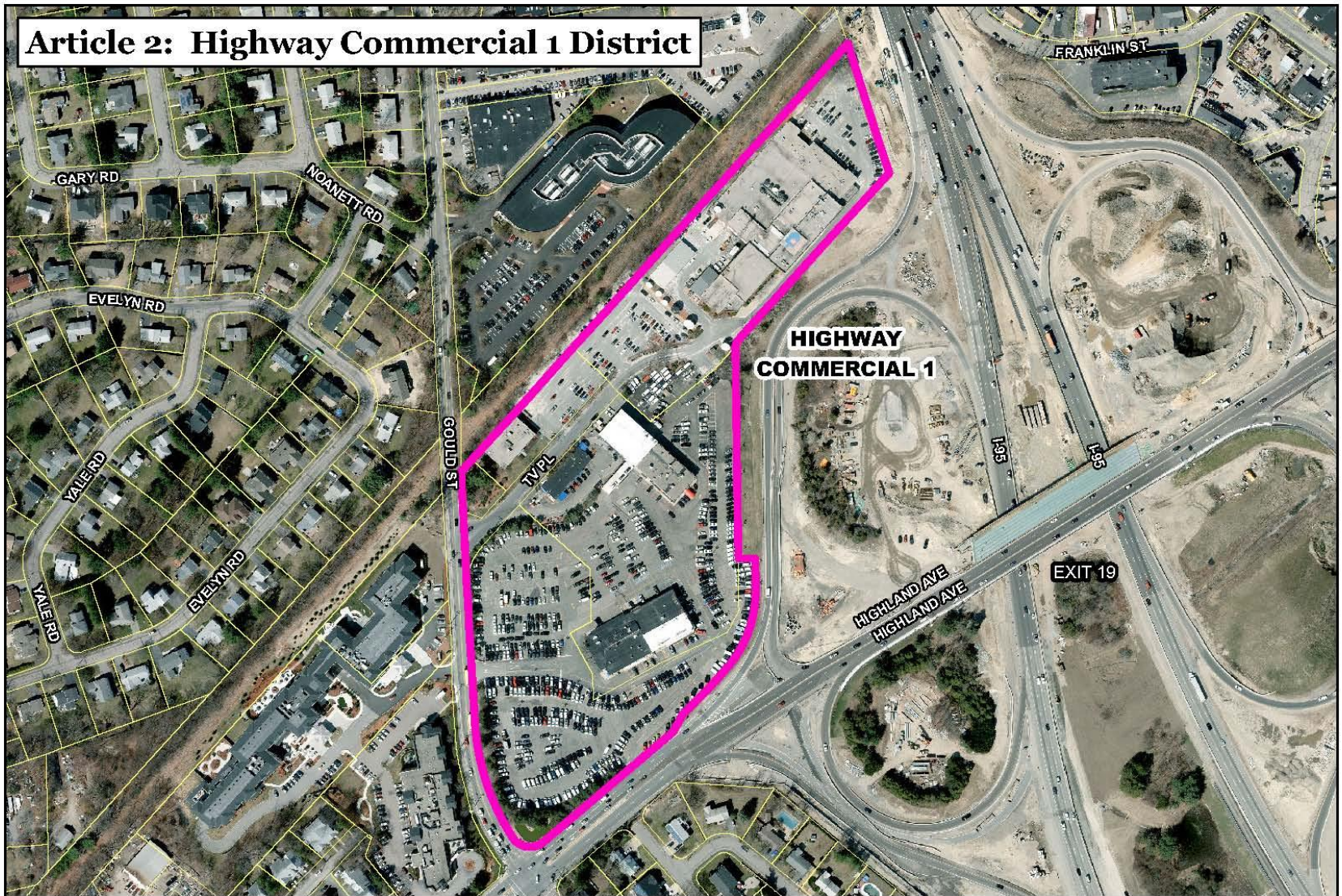
# Zoning Articles for October 2019 Special Town Meeting

Article 1: Amend Zoning By-Law –  
Highway Commercial 1 Zoning District

Article 2: Amend Zoning By-Law –  
Map Change to Highway Commercial 1



## Article 2: Highway Commercial 1 District



### Legend

- Highway Commercial 1
- Parcel Lines

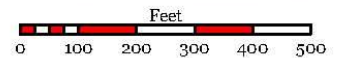


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Aerial photo shown on map captured April 2017.



### Town of Needham GIS



HighwayCommercial1\_2019PH.mxd 01/23/2019 b.w.a



Under Current Zoning	Under Proposed Zoning
Retail of only 5,750 SF	Retail of up to 10,000 SF by right and between 10,000 SF and 25,000 SF by SP
Only one use by right and only one building on the lot by right (more than one use or building on a lot by SP)	More than one use and more than one building on a lot by right
Single family detached dwelling is allowed	Prohibits single family detached dwelling
Theaters, bowling alleys, skating rinks allowed by right	Live performance theater, bowling alley, skating rinks by special permit
Commercial Garage, contractor yard, lumber yard, fuel establishment – allowed by SP	Prohibits commercial Garage, contractor yard, lumber yard, fuel establishment
Prohibits grocery store	Grocery store up to 25,000 SF by SP

**Major Dimensional Changes from Industrial 1 to Highway Commercial 1** (comprised of the area along Gould Street between Highland Avenue and the RR track—essentially Muzi and Channel 5—across Gould Street from Elder Services District.)

The **BLUE** reflects the existing requirements. The **ORANGE** reflects the proposed requirements.

Minimum Lot Area (Sq. Ft.)	Minimum Lot Frontage (Ft.)	Front Setback (Ft.) (1)	Side Setbacks (Ft.) (1) (3)	Rear Setback (Ft.) (3)	Maximum Height (Ft.) (1)	Maximum Lot Coverage (2) (4) (7)	Floor Area Ratio (5) (6)
<b>20,000</b>	<b>100</b>	<b>5</b>	<b>10</b>	<b>10</b>	<b>70</b>	<b>65%</b>	<b>1.00</b>
20,000	100	20*	20	10	2 story/30	None	0.5**

\*50' buffer on Gould and Highland

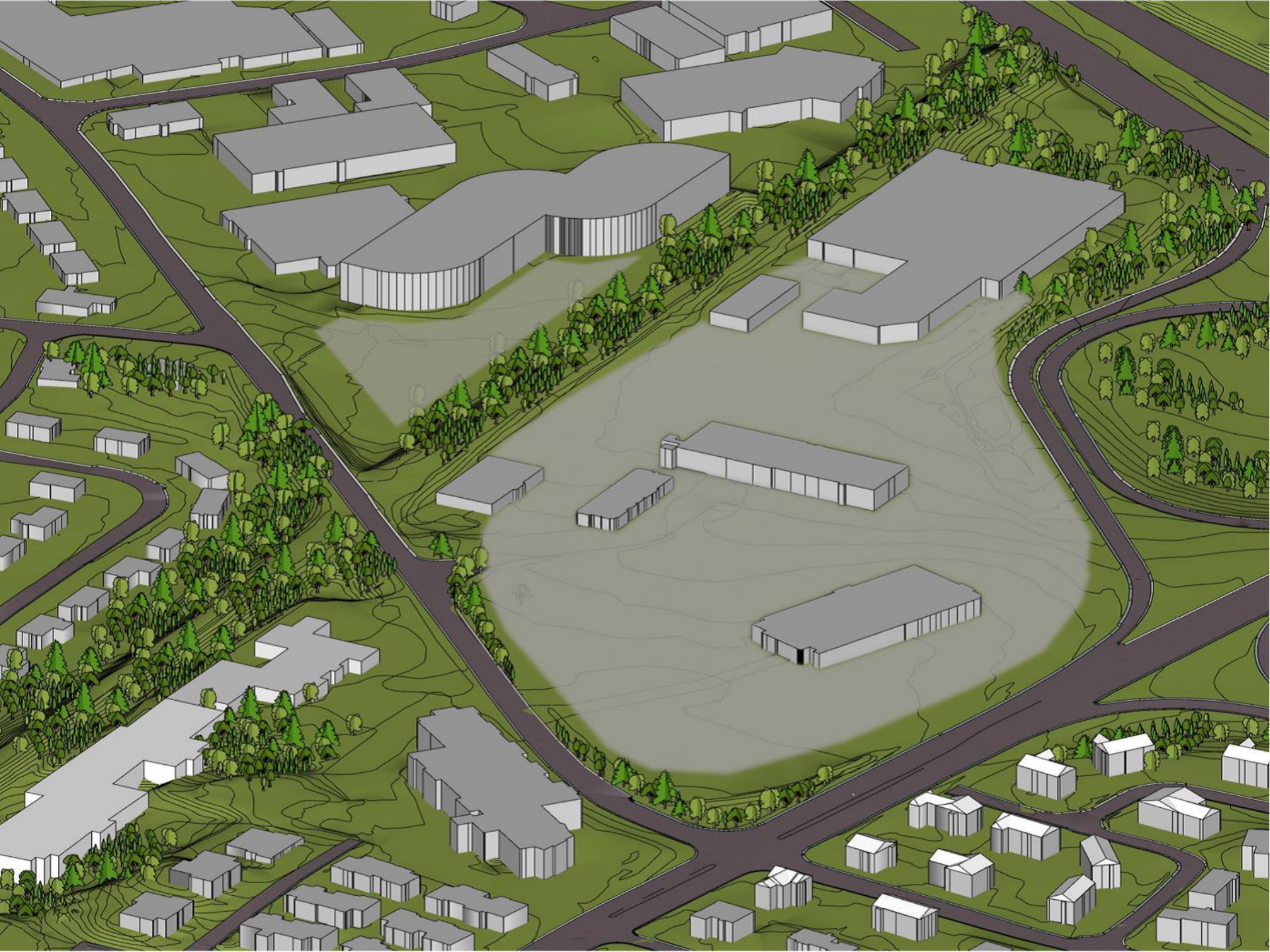
\*\*under special circumstances 0.65-0.75

1. Heights within 200' of Gould and 150' of Highland are limited to 42' unless additional height is contained under pitched or recessed roof as approved by the Planning Board and said additional height does not exceed 48'. By special permit height can be increased to 84'. Front setback increases to 15' front if the building height exceeds 42'. A 20' landscape buffer is required on Highland, Gould Street and the Route 95/128 layout.
3. Rear and side setbacks increase to 20' if the building height exceeds 42' except along the MBTA Right-of-way where rear and side setbacks remain at 10'.
4. A minimum of 20% of the total lot area must be open space.
5. The FAR may be increased up to 1.75 by special permit provided certain findings are made.

In approving any special permit under this Section 4.11, the  
Planning Board shall consider the following design guidelines for  
development:

- (a) The proposed development should provide or contribute to providing pedestrian and neighborhood connections to surrounding properties, e.g., by creating inviting buildings or street edge, by creating shared publicly accessible green spaces, and/or by any other methods deemed appropriate by the Planning Board
- (b) Any parking structure should have a scale, finish and architectural design that is compatible with the new buildings and which blunts the impact of such structures on the site and on the neighborhood
- (c) The proposed development should encourage creative design and mix of uses which create an appropriate aesthetic for this gateway to Needham, including but not limited to, possible use of multiple buildings to enhance the corner of Highland Avenue and Gould Street, possible development of a landscape feature or park on Gould Street or Highland Avenue, varied façade treatments, streetscape design, integrated physical design, and/or other elements deemed appropriate by the Planning Board
- (d) The proposed development should promote site features and a layout which is conducive to the uses proposed
- (e) The proposed development shall include participation in a Transportation Demand Management program to be approved by the Planning Board as a traffic mitigation measure, including but not limited to, membership and participation in an integrated or coordinated shuttle program.







# SUMMARY

## AS OF RIGHT 1 BUILDING



STUDIO ENÉE architects

AERIAL VIEW - AS OF RIGHT SITE PLAN 1 - 1 BUILDING  
HIGHWAY COMMERCIAL 1 ZONING DISTRICT PLANNING  
07/02/19

## AS OF RIGHT 2 BUILDING



STUDIO ENÉE architects

AERIAL VIEW - AS OF RIGHT ZONING SITE PLAN 2 - 2 BUILDINGS  
HIGHWAY COMMERCIAL 1 ZONING DISTRICT PLANNING  
07/02/19

## SPECIAL PERMIT 1 BUILDING



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AERIAL VIEW - SPECIAL PERMIT ZONING SITE PLAN 1B - 1 BUILDING  
HIGHWAY COMMERCIAL 1 ZONING DISTRICT PLANNING  
07/02/19

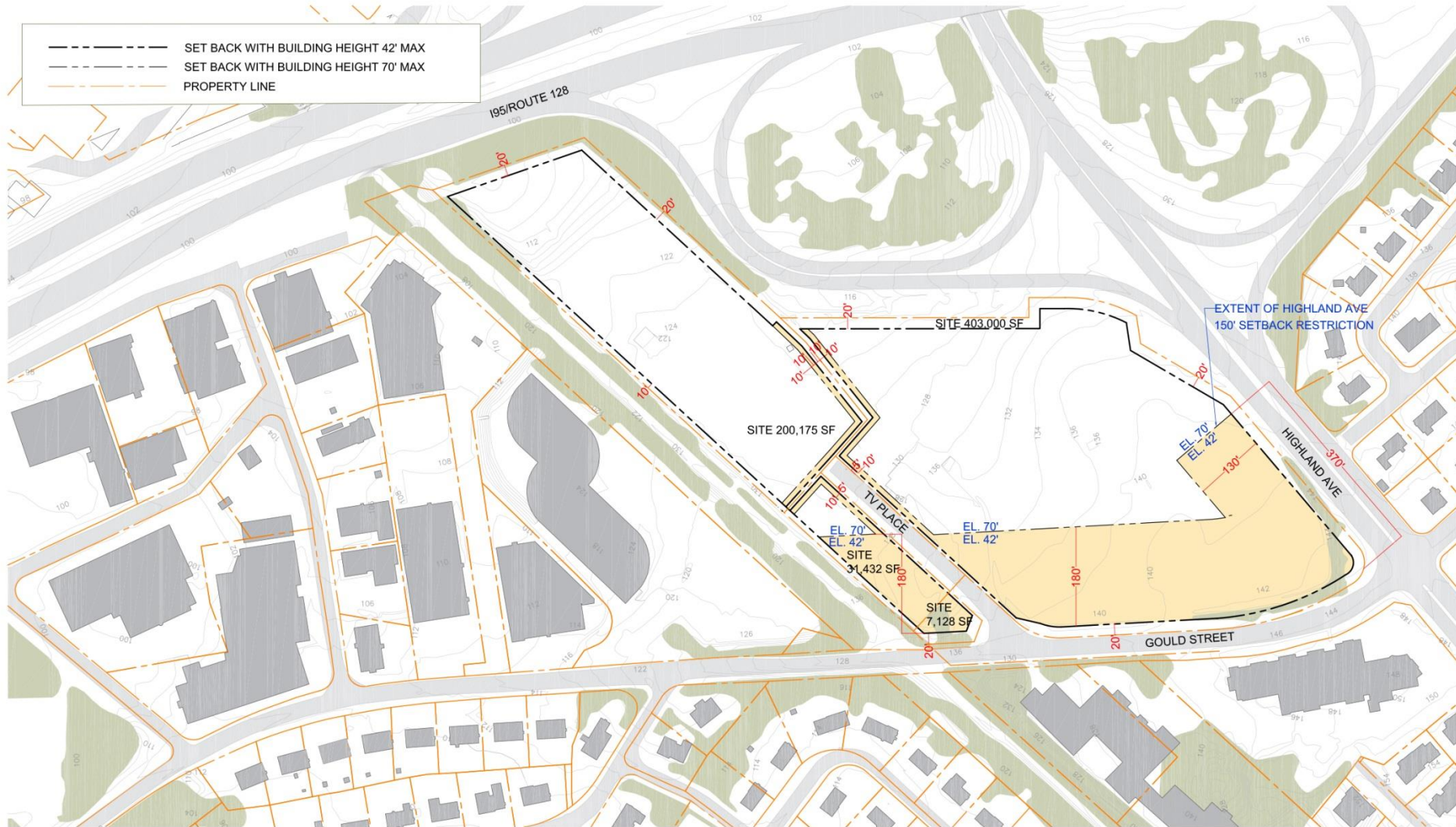
## SPECIAL PERMIT 2 BUILDING



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AERIAL VIEW - SPECIAL PERMIT ZONING SITE PLAN 2 - 2 BUILDINGS  
HIGHWAY COMMERCIAL 1 ZONING DISTRICT PLANNING  
07/02/19





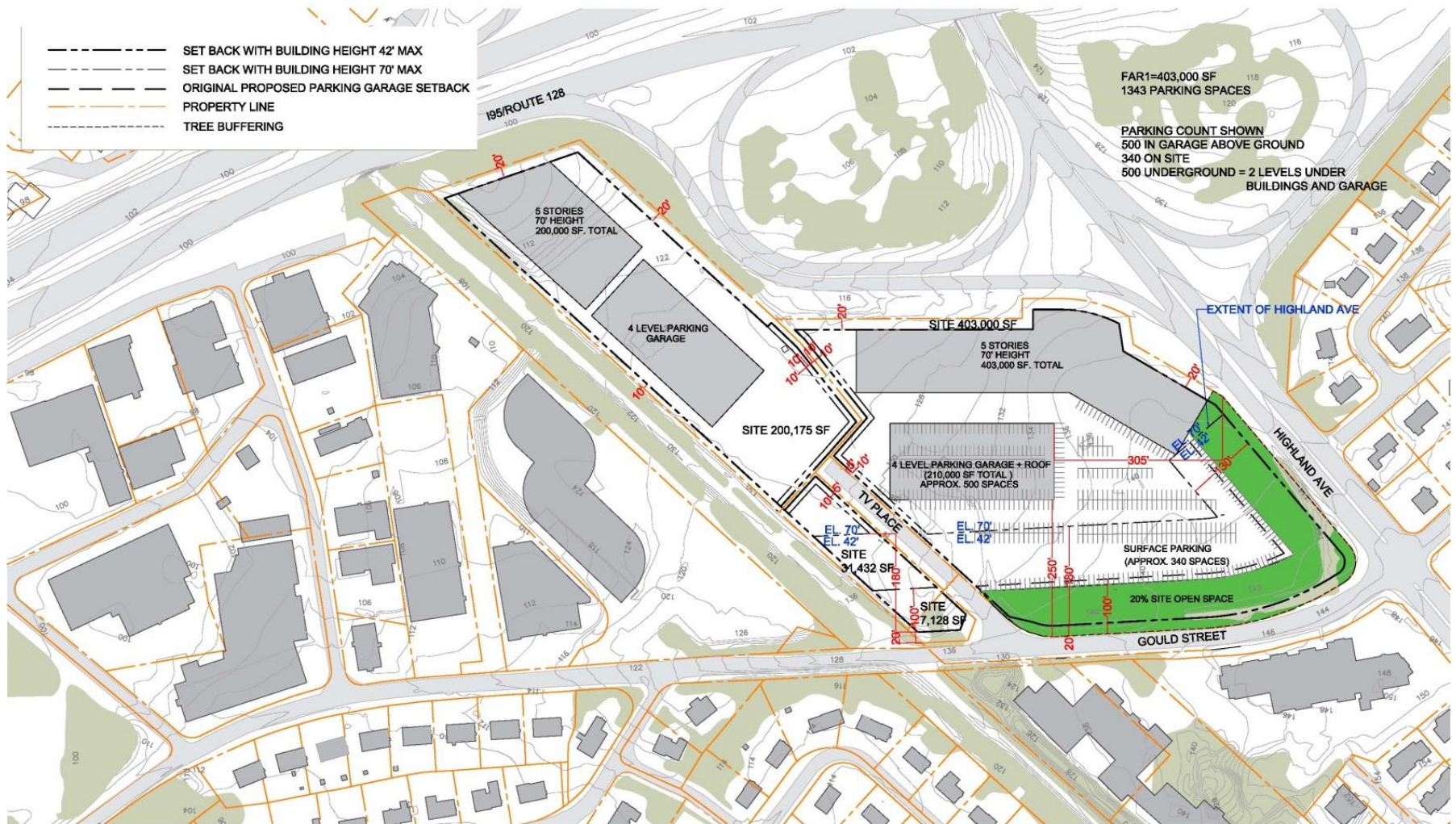
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**ZONING SETBACK SITE PLAN**  
 HIGHWAY COMMERCIAL 1 ZONING DISTRICT PLANNING  
 09/17/2019









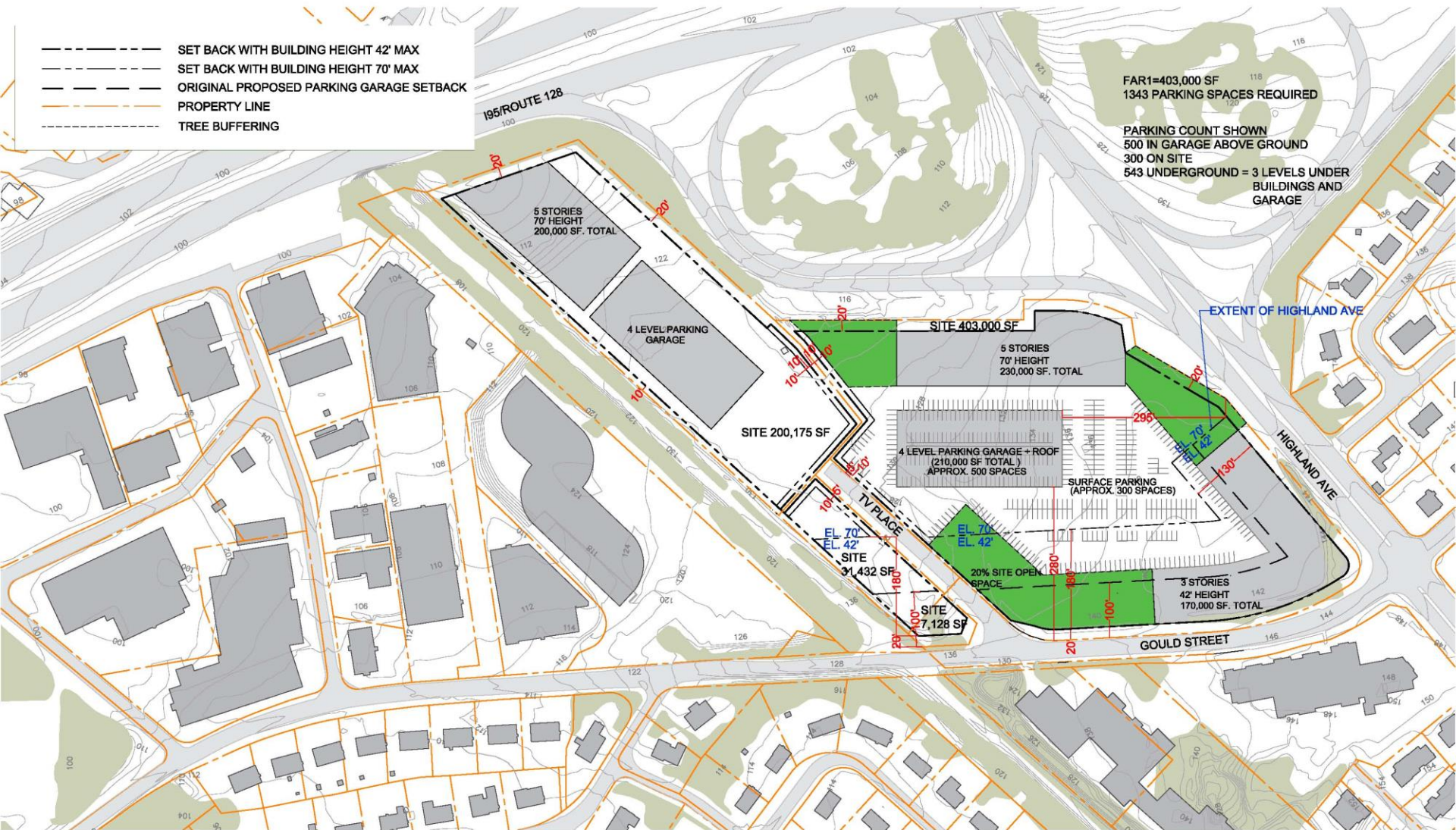
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AS OF RIGHT ZONING SITE PLAN 1 - 1 BUILDING  
HIGHWAY COMMERCIAL 1 ZONING DISTRICT PLANNING  
07/02/2019



























# Article 3: Amend Zoning By-Law

## Accessory Dwelling Unit

# What is an ADU?

“Accessory Dwelling Unit (ADU) – An apartment in a single-family detached dwelling that is a second, self-contained dwelling unit and a complete, separate housekeeping unit containing provisions for living, sleeping, cooking and eating. This unit is subordinate in size to the principal dwelling unit on a lot, constructed to maintain the appearance and essential character of the single-family dwelling.”





# What is the intent of the ADU?

The intent and purpose of the ADU bylaw is to permit accessory dwelling units (ADUs) in single-family homes for occupancy by (a) an Owner of the property or (b) Family of an Owner or (c) Caregivers to an Owner of the property or a Family member of an Owner who resides in the property as his or her primary residence, all subject to the standards and procedures in the zoning. It is also the intent to assure that the single-family character of the neighborhood will be maintained and that the accessory unit remains subordinate to the principal use of the living quarters.



# What are the key use regulations?

## Size

- Only 1 ADU per lot.
- Unit to be located in the primary single-family detached structure, not in accessory buildings.
- Size is limited to 1 bedroom and 850 square feet.





# What are the key use regulations?

## Occupancy

- At least 1 of the units must be owner-occupied except for a temporary absence of the owner for nine months or less if written notice is made to the Building Commissioner within 60 days of the commencement of the absence.
- Occupancy of the unit that is not owner-occupied is limited to a member of the owner's family related by blood, adoption or marriage (spouse, parent, sibling, child, or a spouse of any such person) or a caregiver for the owner or a member of the owner's family.
- "Caregiver" shall be defined as an adult who regularly looks after an elderly, chronically sick or disabled person who needs assistance with activities of daily living, including the owner or a family member of the owner who needs such assistance.

# What are the key use regulations?

## Exterior Appearance

- Separate ingress and egress to the outside of each unit that do not detract from the single-family appearance of the dwelling.
- An interior door way for access between each unit for purposes of emergency response.
- All stairways must be enclosed within the exterior walls of the structure.
- Where there are two or more existing entrances on the front façade of a dwelling and modifications are made to any entrance, the result shall be that one appears to be the principal entrance and the other appears to be secondary.



# What are the key use regulations?

## Permitting

- Compliance with Board of Health and State Building Code regulations.
- Off-street parking must be provided for both units with a minimum of 1 space per unit.
- Application to the Building Commissioner with floor plans and a certified site plan.
- Special permit approval by the Board of Appeals.
- Building and occupancy permit approvals by the Building Commissioner.

# What are the key use regulations?

## Permitting

- Occupancy permit provided for a 3-year period with succeeding 3-year periods allowed assuming continued compliance with requirements.
- Occupancy permits are not transferable upon a change of ownership or occupancy.
- In cases of violations or the lapsing of the permit, the Building Commissioner may order the removal of one or more components that created the ADU.